

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 LAILA MASUD, #311731
lmasud@marshackhays.com
3 BRADFORD N. BARNHARDT, #328705
bbarnhardt@marshackhays.com
4 MARSHACK HAYS LLP
870 Roosevelt
5 Irvine, California 92620
6 Telephone: (949) 333-7777
Facsimile: (949) 333-7778
7
8 Attorneys for Chapter 11 Trustee,
RICHARD A. MARSHACK

9
10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

12 In re
13 THE LITIGATION PRACTICE GROUP P.C.,
14 Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

STIPULATION BETWEEN CHAPTER 11
TRUSTEE, OFFICE OF THE UNITED
STATES TRUSTEE, THE OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS TO SET ADMINISTRATIVE
BAR DATE

[No Hearing Required Pursuant to Local
Bankruptcy Rule 9013-1(o)]

18
19 TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY JUDGE,
20 THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:

21 This Stipulation (“Stipulation”) is entered into by and between Richard A. Marshack, in his
22 capacity as Chapter 11 Trustee (“Trustee”) of the Bankruptcy Estate (“Estate”) of The Litigation
23 Practice Group P.C. (“LPG” or “Debtor”), Office of the United States Trustee (“UST”), and Official
24 Committee of Unsecured Creditors (“Committee”) (Trustee, UST, and Committee are collectively
25 referred to as the “Parties”), with regard to the following:
26
27
28

Recitals

A. On March 20, 2023, Debtor filed a voluntary petition under Chapter 11 of Title 11 of the United States Code, commencing this bankruptcy case.

B. On May 8, 2023, Richard A. Marshack was appointed as the Chapter 11 Trustee of the Estate. Docket No. 65.

C. On July 22, 2023, the Court entered its order approving Trustee's sale and assignment of debtor's legal services agreements with consumer clients to Morning Law Group.

D. On August 4, 2023, the sale closed ("Closing Date").

E. The Parties believe that the administration of the estate will be furthered by having a deadline set for the filing of motions to set administrative claims arising post-petition and through the Closing Date. This deadline will not apply to professionals retained pursuant to 11 U.S.C. §§ 327 or 328 and who apply for compensation or reimbursement of costs pursuant to 11 U.S.C. §§ 330 or 331.

F. At the status conference held by the Court on August 10, 2023, the Court authorized this deadline and the form of notice to be set by stipulation and without the need for the filing of any motion.

WHEREFORE, the Parties stipulate, agree and request that the Court enter an Order as follows:

Stipulation

1. The deadline for the filing of any motion to obtain an allowed administrative claim arising at any time from the March 20, 2023, petition date, through and including the August 4, 2023, Closing Date is October 31, 2023 ("Non-Professional Administrative Claims Bar Date").

2. Notice of the Non-Professional Administrative Claims Bar Date, which shall be in substantially the same form as the attached Exhibit "1," shall be served by Trustee within seven days after entry of the Order approving this Stipulation.

///

///

3. This Stipulation may be executed in one or more counterparts, and facsimile or
electronic signatures may be used in filing this document with the Court.

DATED: September 25, 2023

PETER C. ANDERSON
UNITED STATES TRUSTEE

By:


KENNETH M. MISKEN
QUEENIE K. NG
Attorneys for the United States Trustee

DATED: September 11, 2023

FOX ROTHSCHILD LLP

By: *See next page for signature*

MICHAEL A. SWEET
KEITH C. OWENS
NICHOLAS A. KOFFROTH
Attorneys for Official Committee of Unsecured
Creditors

DATED: September 11, 2023

MARSHACK HAYS LLP

By: */s/ Laila Masud*

D. EDWARD HAYS
LAILA MASUD
BRADFORD N. BARNHARDT
Attorneys for Chapter 11 Trustee,
RICHARD A. MARSHACK

3. This Stipulation may be executed in one or more counterparts, and facsimile or
electronic signatures may be used in filing this document with the Court.

DATED: September 18, 2023

UNITED STATES TRUSTEE

By: *See previous page for signature*

KENNETH M. MISKEN

Assistant United States Trustee

DATED: September 18, 2023

FOX ROTHSCHILD LLP

By: *Michael A. Sweet*

MICHAEL A. SWEET

KEITH C. OWENS

NICHOLAS A. KOFFROTH

Attorneys for Official Committee of Unsecured
Creditors

DATED: September 18, 2023

MARSHACK HAYS LLP

By: */s/ See previous page for signature*

D. EDWARD HAYS

LAILA MASUD

BRADFORD N. BARNHARDT

Attorneys for Chapter 11 Trustee,

RICHARD A. MARSHACK

4887-7435-7366, v. 1

EXHIBIT 1

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 LAILA MASUD, #311731
lmasud@marshackhays.com
3 BRADFORD N. BARNHARDT, #328705
bbarnhardt@marshackhays.com
4 MARSHACK HAYS LLP
870 Roosevelt
5 Irvine, California 92620
6 Telephone: (949) 333-7777
Facsimile: (949) 333-7778
7
8 Attorneys for Chapter 11 Trustee,
RICHARD A. MARSHACK

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10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

12 In re
13 THE LITIGATION PRACTICE GROUP P.C.,
14 Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

FIRST NOTICE OF ADMINISTRATIVE
CLAIMS BAR DATE

BAR DATE: OCTOBER 31, 2023

17 TO ALL CREDITORS AND OTHER INTERESTED PARTIES:

18 PLEASE TAKE NOTICE that pursuant to an order entered by the Bankruptcy Court on
19 September X, 2023, as Dk. No. X (“Administrative Claims Bar Date Order”), a copy of which is
20 attached as Exhibit “1,” the deadline by which holders of Non-Professional Administrative Claim(s)¹
21 must file a motion for allowance of an Administrative Claim(s) pursuant to 11 U.S.C. § 503(b)

22 ¹ Administrative Claim(s) are defined as any claim of the kind described in 11 U.S.C. § 503(b) and
23 entitled to priority under 11 U.S.C. § 507(a)(2) that arose on or after **March 20, 2023 (the “Petition
24 Date”)** and before **August 4, 2023, the date of closing of the sale of substantially all of the
Debtor’s assets to Morning Law Group, P.C. (the “Closing Date”).**

25 The following claims are specifically excepted from the definition of Administrative Claim(s) and
26 the Deadline: (1) Administrative Expense Claims previously filed with the Court; (2) all claims for
27 professional fees and reimbursable expenses by Estate professionals whose employment has been
28 approved, and Estate professionals whose employment may be approved in the future, by this
Bankruptcy Court; (3) all claims for fees payable to the Clerk of the United States Bankruptcy Court
for the Central District of California; (4) all claims for fees arising under 28 U.S.C. § 1930(a)(6) or

1 (“Motion for Administrative Expense”), in the above-referenced Chapter 11 case is **October 31,**
2 **2023** (“Deadline”).

3 PLEASE TAKE FURTHER NOTICE that, with respect to filing a Motion for
4 Administrative Expense, please be advised that:

5 (1) Who Must File a Motion. Any person or entity who wishes to assert an Administrative
6 Claim(s) in this case must file a Motion for Administrative Expense with the
7 Bankruptcy Court on or before the October 31, 2023, Deadline and serve a copy on: (a)
8 Chapter 11, Trustee, Richard A. Marshack, and on his counsel Marshack Hays LLP,
9 Attn: D. Edward Hays, Laila Masud, and Bradford N. Barnhardt at 870 Roosevelt,
10 Irvine, CA 92620, or via e-mail at ehays@marshackhays.com,
11 lmasud@marshackhays.com, and bbarnhardt@marshackhays.com; and (b) counsel for
12 the Official Committee of Unsecured Creditors, Fox Rothschild LLP, Attn: Keith
13 Owens and Nick Koffroth at 10250 Constellation Blvd., Suite 900, Los Angeles, CA
14 90067, or via email at KOwens@foxrothschild.com, and
15 NKoffroth@foxrothschild.com. The failure to timely file and serve the required motion
16 will result in the claimant being forever barred from sharing in any distribution in the
17 case on account of an administrative expense priority claim *arising in whole or in part*
18 *during the time period of March 20, 2023, through and including August 4, 2023.*

19 (2) What is an Administrative Expense: Sections 503(b) and 507(a)(2) of Title 11 of the
20 United States Code (“Bankruptcy Code”) provide for the allowance of administrative
21 expense priority claims in a bankruptcy case. Generally, administrative expenses include
22 the actual, necessary costs and expenses of preserving the estate including wages,
23 salaries, and commissions for services rendered after the commencement of the case,
24 and certain taxes,. There may be other grounds upon which administrative expenses may

25
26 accrued interest thereon arising under 31 U.S.C. § 3717; (5) claims for the value of goods received
27 within 20 days prior to the Petition Date, which goods were sold to the debtor within the ordinary
28 course of the debtor’s business under 11 U.S.C. § 503(b)(9); (6) all administrative expense claims
that arise after August 4, 2023; and (7) any claim described in 11 U.S.C. § 503(b)(1)(B) and (C) (as
provided in 11 U.S.C. § 503(b)(1)(D)).

1 be allowed. Should you be uncertain as to whether it is necessary and/or appropriate for
2 you to file a Motion for Administrative Expense, please consult an attorney. **Do not file**
3 **a Motion for Administrative Expense if your claim arose prior to the March 20,**
4 **2023, Petition Date.** Instead, if your claim arose prior to the bankruptcy, you will be
5 served with a separate notice of claims bar date for claims arising before the March 20,
6 2023, Petition Date (the “General Claims Bar Date”), and must file a proof of claim by
7 the General Claims Bar Date to be set by the Court. Instructions for electronically filing
8 a proof of claim subject to the General Claims Bar Date can also be found on the
9 Court’s website at <https://www.cacb.uscourts.gov/epoc-electronic-proof-claim>.
10 Alternatively, instructions for printing, signing, and filing a paper copy of a proof of
11 claim are available at <https://www.cacb.uscourts.gov/forms/proof-claim>.

12 (3) Where to File the Motion: Any Motion for Administrative Expense must be filed with
13 the Clerk of the Bankruptcy Court, Central District of California, Santa Ana Division,
14 at 411 West Fourth Street, Santa Ana, CA 92701-4593 at least 21 days prior to the
15 hearing date. Unless otherwise ordered, all such motions must be set for hearing on
16 December ___, 2023, at ___ .m. Under Rule 9013-1(c) and (i) of the Local
17 Bankruptcy Rules, all motions must be supported by declaration(s) executed under
18 penalty of perjury, documentary evidence supporting the claim, a written statement of
19 reasons in support, and a memorandum of points and authorities upon which the
20 moving party will rely. Unless excused by the Court, the moving party or its counsel
21 must appear at the hearing. The Court will post a calendar with instructions regarding
22 whether appearances will be conducted remotely or in person. The calendar can be
23 accessed at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/>.

24 (4) When must the Motion be Filed: Again, any Motion for an Administrative Expense
25 must be filed on or before the October 31, 2023, Deadline and set for hearing on
26 December ___, 2023, at ___, .m.
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1 (5) Response to Motion. Any response to any such motion(s), or request to continue the
2 hearing(s), shall be filed and served no later than 14 days prior to the date of the
3 hearing.

4 (6) Reply Brief: Any reply to any response must be filed and served no later than 7 days
5 prior to the hearing.

6
7 DATED: September __, 2023

MARSHACK HAYS LLP

8
9 By: _____

10 D. EDWARD HAYS
11 LAILA MASUD
12 BRADFORD N. BARNHARDT
13 Attorneys for Chapter 11 Trustee,
14 RICHARD A. MARSHACK
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EXHIBIT "A "

Exhibit “A” to Motion for Administrative Expenses – Attorney Claimants Only
(Non-Estate Professionals)

Period	Unpaid Fees (indicate rate)	Unpaid Costs	Total This Period	Description of Claim¹
Period 1 - March 20, 2023 to May 8, 2023				
Period 2 - May 8 – August 4 2023				
TOTAL				

¹ Do not attach fee statements identifying the names of specific clients or personally identifiable information unless otherwise requested.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **STIPULATION BETWEEN CHAPTER 11 TRUSTEE, OFFICE OF THE UNITED STATES TRUSTEE, THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO SET ADMINISTRATIVE BAR DATE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **September 26, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **September 26, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**MAIL REDIRECTED TO TRUSTEE
DEBTOR**

THE LITIGATION PRACTICE
GROUP P.C.
17542 17TH ST, SUITE 100
TUSTIN, CA 92780-1984

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **September 26, 2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA PERSONAL DELIVERY:
PRESIDING JUDGE'S COPY**

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING AND COURTHOUSE
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

September 26, 2023

Date

Cynthia Bastida

Printed Name

/s/ Cynthia Bastida

Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:

- **ATTORNEY FOR CREDITOR AFFIRMA, LLC and CREDITOR OXFORD KNOX, LLC:** Eric Bensamochan eric@eblawfirm.us, G63723@notify.cincompass.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Peter W Bowie peter.bowie@dinsmore.com, caron.burke@dinsmore.com
- **ATTORNEY FOR CREDITOR SDCO TUSTIN EXECUTIVE CENTER, INC.:** Ronald K Brown ron@rkbrownlaw.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Christopher Celentino christopher.celentino@dinsmore.com, caron.burke@dinsmore.com
- **INTERESTED PARTY COURTESY NEF:** Michael F Chekian mike@cheklaw.com, chekianmr84018@notify.bestcase.com
- **INTERESTED PARTY COURTESY NEF:** Shawn M Christianson cmcintire@buchalter.com, schristianson@buchalter.com
- **INTERESTED PARTY COURTESY NEF:** Randall Baldwin Clark rbc@randallbclark.com
- **INTERESTED PARTY COURTESY NEF:** Leslie A Cohen leslie@lesliecohenlaw.com, jaime@lesliecohenlaw.com; clare@lesliecohenlaw.com
- **INTERESTED PARTY COURTESY NEF:** Aaron E. DE Leest adeleest@DanningGill.com, danninggill@gmail.com; adeleest@ecf.inforuptcy.com
- **ATTORNEY FOR INTERESTED PARTY NATIONAL ASSOCIATION OF CONSUMER BANKRUPTCY ATTORNEYS and INTERESTED PARTY NATIONAL CONSUMER BANKRUPTCY RIGHTS CENTER:** Jenny L Doling jd@jdl.law, dolingjr92080@notify.bestcase.com; 15994@notices.nextchapterbk.com
- **ATTORNEY FOR CREDITOR CAROLYN BEECH:** Daniel A Edelman dedelman@edcombs.com, courtecl@edcombs.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Christopher Ghio christopher.ghio@dinsmore.com, Kristina.Heller@Dinsmore.com
- **ATTORNEY FOR DEFENDANT STRIPE, INC.:** Eric D Goldberg eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **ATTORNEY FOR CREDITOR AFFIRMA, LLC; CREDITOR ANAHEIM ARENA MANAGEMENT, LLC; CREDITOR ANAHEIM DUCKS HOCKEY CLUB, LLC; and CREDITOR OXFORD KNOX, LLC:** Jeffrey I Golden jgolden@go2.law, kadele@ecf.courtdrive.com; cbmeeker@gmail.com; lbracken@wgllp.com; gestrada@wgllp.com; golden.jeffreyi.b117954@notify.bestcase.com
- **ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and CREDITOR MC DVI FUND 2, LLC:** Richard H Golubow rgolubow@wghlawyers.com, jmartinez@wghlawyers.com; svillegas@wghlawyers.com
- **INTERESTED PARTY COURTESY NEF:** David M Goodrich dgoodrich@go2.law, kadele@go2.law; dfitzgerald@go2.law; wggllp@ecf.courtdrive.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** D Edward Hays ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR CITY CAPITAL NY:** Alan Craig Hochheiser ahochheiser@mauricewutscher.com, arodriguez@mauricewutscher.com
- **ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and CREDITOR MC DVI FUND 2, LLC:** Garrick A Hollander ghollander@wghlawyers.com, jmartinez@wghlawyers.com; svillegas@wghlawyers.com
- **ATTORNEY FOR CREDITOR and PLAINTIFF OHP-CDR, LP and PLAINTIFF PURCHASECO 80, LLC:** Razmig Izakelian razmigizakelian@quinnemanuel.com
- **ATTORNEY FOR DEBTOR THE LITIGATION PRACTICE GROUP P.C.:** Joon M Khang joon@khanglaw.com
- **ATTORNEY FOR INTERESTED PARTY AD HOC CONSUMER CLAIMANTS COMMITTEE:** Ira David Kharasch ikharasch@pszjlaw.com
- **ATTORNEY FOR DEFENDANT GALLANT LAW GROUP:** Meredith King mking@fsl.law, ssanchez@fsl.law; jwilson@fsl.law
- **ATTORNEY FOR COMMITTEE OF UNSECURED CREDITORS:** Nicholas A Koffroth nkoffroth@foxrothschild.com, khoang@foxrothschild.com
- **ATTORNEY FOR DEFENDANT MARICH BEIN, LLC:** David S Kupetz David.Kupetz@lockelord.com, mylene.ruiz@lockelord.com

- **INTERESTED PARTY COURTESY NEF:** Christopher J Langley chris@slclawoffice.com, omar@slclawoffice.com; langleycr75251@notify.bestcase.com; ecf123@casedriver.com
- **ATTORNEY FOR DEFENDANT CONSUMER LEGAL GROUP, P.C.; DEFENDANT LGS HOLDCO, LLC; INTERESTED PARTY CONSUMER LEGAL GROUP, P.C.; and INTERESTED PARTY LIBERTY ACQUISITIONS GROUP INC:** Daniel A Lev daniel.lev@gmlaw.com, cheryl.caldwell@gmlaw.com; dlev@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR PHILLIP A GREENBLATT, PLLC:** Michael D Lieberman mlieberman@lipsonneilson.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Yosina M Lissebeck Yosina.Lissebeck@Dinsmore.com, caron.burke@dinsmore.com
- **ATTORNEY FOR CREDITOR FUNDURA CAPITAL GROUP:** Mitchell B Ludwig mbl@kpclegal.com, kad@kpclegal.com
- **ATTORNEY FOR DEFENDANT HAN TRINH and DEFENDANT JAYDE TRINH:** Kathleen P March kmarch@bkylawfirm.com, kmarch3@sbcglobal.net, kmarch@sbcglobal.net
- **CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Richard A Marshack (TR) pkraus@marshackhays.com, rmarshack@iq7technology.com; ecf.alert+Marshack@titledxi.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Laila Masud lmasud@marshackhays.com, lmasud@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **ATTORNEY FOR US TRUSTEE:** Kenneth Miskin Kenneth.M.Miskin@usdoj.gov
- **INTERESTED PARTY COURTESY NEF:** Byron Z Moldo bmoldo@ecjlaw.com, amatsuoka@ecjlaw.com, dperez@ecjlaw.com
- **INTERESTED PARTY COURTESY NEF:** Alan I Nahmias anahmias@mbn.law, jdale@mbnlawyers.com
- **INTERESTED PARTY COURTESY NEF:** Victoria Newmark vnewmark@pszjlaw.com
- **ATTORNEY FOR US TRUSTEE:** Queenie K Ng queenie.k.ng@usdoj.gov
- **ATTORNEY FOR COMMITTEE OF UNSECURED CREDITORS:** Keith C Owens kowens@foxrothschild.com, khoang@foxrothschild.com
- **ATTORNEY FOR DEFENDANT DANIEL S. MARCH and DEFENDANT TONY DIAB:** Teri T Pham tpham@epglawyers.com, ttpassistant@epglawyers.com
- **ATTORNEY FOR DEFENDANT GREYSON LAW CENTER PC; DEFENDANT HAN TRINH; DEFENDANT JAYDE TRINH; and DEFENDANT SCOTT JAMES EADIE:** Douglas A Plazak dplazak@rhlaw.com
- **ATTORNEY FOR DEFENDANT TOUZI CAPITAL, LLC and DEFENDANT ENG TAING:** Daniel H Reiss dhr@lnbyg.com, dhr@ecf.inforuptcy.com
- **ATTORNEY FOR DEFENDANT CONSUMER LEGAL GROUP, PC:** Ronald N Richards ron@ronaldrichards.com, 7206828420@filings.docketbird.com
- **ATTORNEY FOR CREDITOR MARI AGAPE:** Gregory M Salvato gsalvato@salvatoboufadel.com, calendar@salvatolawoffices.com; jboufadel@salvatoboufadel.com; gsalvato@ecf.inforuptcy.com
- **ATTORNEY FOR CREDITOR AZZURE CAPITAL LLC and CREDITOR HI BAR CAPITAL LLC:** Olivia Scott olivia.scott3@bclplaw.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Jonathan Serrano jonathan.serrano@dinsmore.com
- **ATTORNEY FOR CREDITOR UNITED PARTNERSHIPS, LLC:** Paul R Shankman PShankman@fortislaw.com, info@fortislaw.com
- **ATTORNEY FOR INTERESTED PARTY MORNING LAW GROUP, PC:** Zev Shechtman zs@DanningGill.com, danninggill@gmail.com; zshechtman@ecf.inforuptcy.com
- **ATTORNEY FOR US TRUSTEE:** Leslie Skorheim leslie.skorheim@usdoj.gov
- **ATTORNEY FOR DEFENDANT BANKUNITED, N.A.:** Howard Steinberg steinbergh@gtlaw.com, pearsallt@gtlaw.com; howard-steinberg-6096@ecf.pacerpro.com
- **ATTORNEY FOR CREDITOR ALTERYX, INC.:** Andrew Still astill@swlaw.com, kcollins@swlaw.com
- **US TRUSTEE:** United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- **ATTORNEY FOR CREDITOR AZZURE CAPITAL LLC and CREDITOR HI BAR CAPITAL LLC:** Sharon Z. Weiss sharon.weiss@bclplaw.com, raul.morales@bclplaw.com, REC_KM_ECF_SMO@bclplaw.com
- **ATTORNEY FOR CREDITOR DEBT RELIEF GROUP, LLC:** Johnny White JWhite@wrslawyers.com, jlee@wrslawyers.com

4886-1739-7632, v. 1

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.